

MEMO ENDORSED

LAW OFFICES OF

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Conference on 4/15/08
2:30 with principals
to discuss settlement +
scheduling.

April 9, 2008

SO ORDERED:**Date:***4/10/08**Richard M. Berman***Richard M. Berman, U.S.D.J.**

Re: Vargas et al. v. Midtown Air Condition
07 Cv. 3343 (RMB)

Via ECF

Honorable Judge Berman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Dear Honorable Judge Berman:

This office represents the plaintiffs in the above referenced action.

We write to request a two (2) week extension of time from April 11, 2008 to April 25, 2008 in which to respond to Defendants' Motion for Summary Judgment in this matter. This is plaintiffs' first request for an extension of time to respond to defendant's motion for summary judgment.

This is based on the fact that one of the plaintiffs in this action, Simon Norales, was out of the country until April 2, 2008 and has not had a chance to review Defendants' Motion for Summary Judgment documents. As well, we are attempting to contact another plaintiff, Felix Bonilla, who has not, as of this writing, returned our call, and who may also be out of the country temporarily.

Although we have scheduled time with the plaintiffs to review defendants' motion, this office is unable to properly to respond to Defendant's Motion for Summary, without the benefit of all plaintiffs' input, on or before April 25, 2008.

Accordingly, we have spoken with opposing counsel, Eric Stuart, Esq., who consents to this request to the extent that plaintiffs are granted until April 18, 2008 to respond, in light of the looming trial date of April 28, 2008. However, given our inability to confirm Mr. Bonilla's presence in the United States, we ask that the court alternatively, extend all the existing deadlines to accommodate the rearrangement of the motion schedule and our extension of time to respond. We have attached a Proposed Revised Scheduling Order stating the same.

Respectfully,

/s/

Ambrose W. Wotorson, Jr. (AWW -2412)

cc: Eric Stuart, Esq.

USDC SDNY
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